

LAW OFFICES OF
**SHER GARNER CAHILL RICHTER
KLEIN & HILBERT, L.L.C.**

TWENTY-EIGHTH FLOOR
909 POYDRAS STREET
NEW ORLEANS, LOUISIANA 70112-4046
<http://www.shergarner.com>

LEOPOLD Z. SHER¹
JAMES M. GARNER²
ELWOOD F. CAHILL, JR.
RICHARD P. RICHTER
STEVEN I. KLEIN^{1,7}
PETER L. HILBERT, JR.
MARIE A. MOORE³
DEBRA J. FISCHMAN
ROBERT P. THIBEAUX
DARNELL BLUDWORTH²
MARTHA Y. CURTIS²
NEAL J. KLING
JOSHUA S. FORCE^{2,4}
DEBORAH J. MOENCH
DOROTHY S. WATKINS LAWRENCE²
JOHN T. BALHOFF, II

ALVIN C. MIESTER, III
HOWARD T. BOYD, III²
CHRISTOPHER T. CHOCHULES
RYAN D. ADAMS
THOMAS J. MADIGAN, II⁵
KAREN T. HOLZENTHAL
KEVIN M. MCGLONE
CHAD P. MORROW
JEFFREY D. KESSLER⁶
JONATHAN B. CERISE
ASHLEY G. COKER
AMANDA RUSSO SCHENCK
RYAN O. LUMINAIS⁵
MATTHEW C. CLARK
MELISSA M. ROME
MARY BETH AKIN

JENNIFER H. MABRY
PAUL R. TRAPANI, III
CHRISTINA PECK SAMUELS
COURT C. VANTASSELL
JACOB A. AIREY
ERIC J. BLEVINS
JOSHUA P. CLAYTON
MEGAN E. TAYLOR

¹ LAW CORPORATION
² MEMBER OF LOUISIANA AND TEXAS BARS
³ MEMBER OF LOUISIANA AND ALABAMA BARS
⁴ MEMBER OF LOUISIANA AND CALIFORNIA BARS
⁵ MEMBER OF LOUISIANA AND MISSISSIPPI BARS
⁶ MEMBER OF LOUISIANA AND NEW YORK BARS
⁷ BOARD CERTIFIED TAX ATTORNEY LOUISIANA
BOARD OF LEGAL SPECIALIZATION

ALL OTHERS LOUISIANA BAR

OF COUNSEL:
TIMOTHY B. FRANCIS
DAVID A. MARCELLO

philbert@shergarner.com
Direct Dial: (504) 299-2107
Direct Fax: (504) 299-2307

(504) 299-2100
FAX (504) 299-2300

May 30, 2013

VIA CERTIFIED MAIL

NO. 70113500000109398320

Freedom of Information Officer
US EPA Region 5
77 West Jackson Blvd. (MI-9J)
Chicago, IL 60604-3590

Re: **FREEDOM OF INFORMATION ACT REQUEST**
Cardinal Plant
EPA Facility ID No. 110000605426
306 County Road 7E, Brilliant, OH 43215
Our File No. 01809.0079

Dear Sir or Madam:

On behalf of our client, Rain CII Carbon LLC, we are writing to make a Freedom of Information Act (FOIA) request for information relating to the Facility referenced above pursuant to the federal Freedom of Information Act. Please provide, within the twenty working days required by law, the following records relating to the Facility's water and waste management activities, including its environmental history, environmental incidents, spills, or emission discharges from the Facility, and any soil or water testing results from the Facility **from 1967 to present**, including without limitation,

- (i) any and all reports, test results, memoranda, letters, inter-office transmittals, and other writings, including, without limitation, any emails, messages, agreements, documents, and memoranda of telephone conversations (collectively, "FOIA Materials") relating

SHER GARNER CAHILL RICHTER
KLEIN & HILBERT, L.L.C.

May 30, 2013


Page - 2 -

to the Facility's water and waste management operations;

- (ii) any documents submitted by the Facility to the EPA related to the Facility's water and waste management operations;
- (iii) any and all intra-agency documents exchanged among the employees and representatives of the EPA and elsewhere relating to the Facility's water and waste management operations;
- (iv) any and all inter-agency documents between employees or representatives of the EPA and employees or representatives of the EPA with respect to the Facility's water and waste management operations; and
- (v) any and all documents that evidence, relate to, or provide the basis, justification or reasons for enforcement actions against the Facility related to its water and waste management activities.

Thank you in advance for your assistance with this matter. Please send the bill for this information to our firm. Kindly contact either of the undersigned if you have any questions concerning this request.

Cordially,



James M. Garner
Peter L. Hilbert
Darnell Bludworth

PLH/mmr